

Remarks

Applicants have received and carefully reviewed the Final Office Action mailed February 17, 2009 and the Advisory Action mailed April 28, 2009. Claims 1, 3-4, 8-9 and 11-18 remain pending. By this Amendment, claim 1 has been amended, and claim 19 has been canceled without prejudice. This Amendment assumes that the Amendment-After-Final mailed April 16, 2009 has been entered. Reconsideration and allowance of all pending claims are respectfully requested.

Allowable Subject Matter

In paragraph 6 of the Final Office Action, and in the Advisory Action dated April 28, 2009, the Examiner indicates that claims 1, 3-4, 8-9 and 11-18 are allowed. Claim 19, the only claim indicated as being rejected in the Advisory Action, has been canceled without prejudice. In view thereof, all pending claims 1, 3-4, 8-9 and 11-18 are believed to be in condition for allowance. Issuance of a Notice of Allowance is respectfully requested.

Claim Objections

In paragraph 3 of the Final Office Action, claim 1 was objected to because the word “enable” (line 19) should be rewritten as “enables”. In the last paragraph of the Advisory Action, the Examiner correctly notes that the status of claim 1 in the Amendment filed April 16, 2009 was incorrect, and that the status of claim 1 should read “currently amended”. Claim 1 has been amended to change “enable” to –enables–, and now correctly recites the status of claim 1 as “currently amended”.

Rejections under 35 U.S.C. § 103

In paragraph 5 of the Office Action, claims 19-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Auer et al. (U.S. 4,118,750). In the Amendment-After-Final filed April 16, 2009, the elements of dependent claims 20-21 were incorporated into claim 19, and

Application No. 10/599,548

Response to Office Action dated February 17, 2009 and Advisory Action dated April 28, 2009

dependent claims 20-21 were canceled without prejudice. In the Advisory Action mailed April 28, 2009, the Examiner maintained the rejection of claim 19. After reviewing the Examiner's reasoning in the Advisory Action, Applicant respectfully disagrees that claim 19 is rendered obvious in view of Auer et al. However, because we are after final, and to move this case to issuance in a timely manner, Applicant has elected to cancel claim 19 without prejudice, rendering the rejection moot. Applicant does reserve the right to pursue the subject matter of claim 19 in a subsequently filed continuation application if so desired.

Conclusion

It is submitted that, in light of the above remarks, all pending claims 1, 3-4, 8-9 and 11-18 are in condition for allowance. Issuance of a Notice of Allowance is respectfully requested. If a telephone interview would be of assistance, the Examiner is encouraged to contact the undersigned attorney at 612-359-9348.

Respectfully Submitted,

Brian N. Tufte, Reg. No. 38,638
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Telephone: (612) 359-9348
Facsimile: (612) 359-9349
Email: Brian.Tufte@cstlaw.com

Date: May 15, 2009